

REMARKS

Claims 1-30 are pending. Claims 1, 10, and 18 are amended.

In the Non-final Office Action mailed on September 19, 2005, the Examiner objected to the drawings as failing to comply with 37 CFR 1.84(p)(5), objected to the specification for informalities, rejected claims 1-4, 6-8, 10-17 and 18-30 under 35 U.S.C. § 102(b); and rejected claims 5 and 9 under 35 U.S.C. § 103(a). In this response, claims 1, 10, and 18 are amended. For the reasons set forth in detail below, applicant submits that the present application, including each of pending claims 1-30, is in condition for allowance.

Objection Under 37 CFR 1.84(p)(5) to the Drawings

The Examiner objected to the drawings as failing to comply with 37 CFR 1.84(p)(5) because they included reference character(s) "external network 125", not mentioned in the description. The Examiner required either correction of the drawings in compliance with 37 CFR 1.121(d), or amendment of specification in compliance with 37 CFR 1.121(b). The undersigned has hereby amended paragraph 33 in the specification to add the reference character(s) to the description. Therefore, the undersigned respectfully requests the withdrawal of this objection.

Objection to the Specification

The Examiner objected to the specification because of the following informalities:

- On page 14, paragraph 33, interconnected fabric modules 110 should reference 110a and interconnected fabric should reference 110;
- On page 16, paragraph 35, decision block 304 should reference 305; and

- On page 17, paragraph 36, there are numerous grammatical errors.

The undersigned has hereby amended paragraphs 33, 35, and 36 in the specification to correct the above cited informalities. Therefore, the undersigned respectfully requests the withdrawal of this objection.

Rejection Under 35 U.S.C. § 102(b) of Claims 1-4, 6-8, 10-17, and 18-30

The Examiner rejected claims 1-4, 6-8, 10-17, and 18-30 under 35 U.S.C. § 102(b) as being anticipated by Chin (US Pat. No. 5,872,783). The Examiner has rejected independent claims 10 and 18 based on the same reason as he has rejected independent claim 1. For a claim to be rejected based on anticipation under 35 U.S.C. §102(b), MPEP 2131 requires that: "to anticipate a claim, the reference must teach every element of the claim."

In Chin, as affirmed by the Examiner, "reserved" is expressly defined as "unknown" (col. 7, lines 4-5), and the "flooding operation", which the Examiner contends will inherently transmit the frame to the network manager, results from a packet with an unknown address. In Chin, only when a switch does not know where to send a packet, it floods the packet to all the ports (col. 7, lines 5-9). The flooding operation of Chin sends some packets to the network manager that are not supposed to go to the network manager, and sends some packets to all other ports that are only supposed to go to the network manager.

On the other hand, in the amended claims 1, 10, and 18, a "reserved" virtual address is a perfectly known address and is purposely designated for sending the frame to the network manager. (Support for amendment of claims 1, 10, and 18 can be found on page 10, paragraph 25.)

Chin's "reserved address" has no similarity with the "reserved address" recited in claims 1, 10, and 18 – they are almost opposite of each other. In Chin, a reserved address

means a confused switch that does not know where to send the packet, therefore it sends the packet to every where. But in claims 1, 10, and 18, a reserved address means an exact destination. Chin does not teach, suggest, or even imply what is recited in the amended claims 1, 10, and 18, and, therefore, a *prima facie* case of anticipation under Section 102 has not been established with respect to amended claim 1, 10, and 18 and accordingly the undersigned requests the withdrawal of the Section 102 rejection of these claims.

Claims 2-9, 11-17 and 19-30 depend from independent claims 1, 10, and 18, respectively, and accordingly include the features of independent claims 1, 10, and 18. For reasons discussed above and for the additional features of these claims, a *prima facie* case of obviousness under Section 102 has not been established with respect to these claims either and accordingly the Section 102 rejection of claims 2-9, 11-17 and 19-30 should also be withdrawn.

Rejection Under 35 U.S.C. § 103(a) of Claims 5 and 9

The Examiner rejected claims 5 and 9 under 35 U.S.C. § 103(a) as being unpatentable over Chin (US Pat. No. 5,872,783) in view of Rangachar (US Pat. No. 6,301,252).

Claims 5 and 9 depend from allowable independent claim 1 discussed above and, accordingly, include the features of the independent claim 1. For reasons discussed above and for the additional features of these claims the rejection of claims 5 and 9 should be withdrawn.

Conclusion

In view of the foregoing, all of the claims pending in the application are in condition for allowance and, therefore, a Notice of Allowance is respectfully requested. If the Examiner has any questions or believes a telephone conference would expedite

prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-6488.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0665, under Order No. 030048035US from which the undersigned is authorized to draw.

Dated: 11/2/05

Respectfully submitted,

By 

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